

K American Continental Congress
What think ye of the CONGRESS Now?

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An ENQUIRY,

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HOW FAR

The AMERICANS are BOUND

To ABIDE by,

AND

EXECUTE the DECISIONS of,

THE LATE

CONGRESS?

It is hoped and expected, that this want of Confidence in the
"Justice and Tenderness of the Mother-Country, and this open
"Resistance to its Authority, can only have found Place among
"the lower and more ignorant of the People: The better and
"wiser Part of the Colonies will know, that Decency and Sub-
"mission may prevail, not only to redress Grievances, but to
"obtain Grace and Favour; while the Outrage of a public Vi-
"olence can expect nothing but Severity and Chastisement."

General Conway.

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THE CONSTITUTIONAL HISTORY OF ENGLAND

FROM THE NORMAN CONQUEST TO THE PRESENT

BY JOHN E. BRYCE

IN TWO VOLUMES



PRINTED BY THE BRITISH MUSEUM

THE MUSEUM

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What think ye of the CONGRESS Now?

Q. R.
An ENQUIRY, &c.

ONE of the most sacred and invaluable rights of Englishmen, and consequently of the inhabitants of his Majesty's American colonies, is *the liberty of the press*. By this is meant the liberty of publishing, by means of the press, remarks upon, objections to, and discussions of, all public transactions, whether relating to religion or government. Every Englishman claims this liberty as his birth-right: the law has made it a part of his property; none can deprive him of it without his consent; it is not even in his own power to alienate it; and he ought in duty to exercise this right, as often as he thinks his communications would be of service to the public.

The *liberty of the press* is so essential to the well-being of society in general, that the late Congress, in their *Address to the inhabitants of QUEBEC*, mention it as one of those "rights, without which a people cannot be free and happy, and under the protecting and encouraging influence of which, these colonies have hitherto so amazingly flourished and increased." They complain that the King's "profligate ministry," are endeavouring to wrest it from us, and declare their resolution not to resign it but with their latest breath.

It is a pity that these generous Patrons and Defenders of American liberty forgot in their *Memorial to the inhabitants of the confederated Colonies*, to take notice of what so greatly concerned them; and that they did not place some guard for the security of a right, which was deemed by them so essential to the freedom and happiness of Americans; and which, they knew, was in some danger of being violated and trampled upon by a set of people, whose views were more contracted, whose sentiments were less generous, and whose zeal was more dimly enlightened than their own. To this unlucky omission we must ascribe it, that even the *Sons of Liberty*, of the lower and more illiberal classes, are perpetually running counter to the sentiments of the *Congress*, in striving to intimidate writers, and printers, and readers, and speakers, and thinkers, on the side of government.

One of *their* ways of confuting pamphlets, like the old popish way of confuting heretics, is by fire and faggot. This proceeds from the same bigotry, and is dictated by the same spirit, which commonly disgraced the dark ages preceding the Reformation. And when these burning zealous assemble together, in order to hold an *Auto de Fe*, I advise all dealers in political heresy, to take care of themselves. And in general, I advise all writers of unpopular pieces to keep their own secrets, as we know not what revolutions may happen.

For should the writers in behalf of peace, order and government be certainly known, or only strongly suspected, and should the nominal *Sons of Liberty*, but the real Sons of Licentiousness, Faction and Confusion, be in full possession of that power which they are striving to obtain; there is reason to believe, that the *writers* and their *writings* would be both consumed together in the same fire.

For thus says *Holt*, in his *Journal* of November 24, speaking of some of our *beer-house* gentry, who assembled on occasion of a new publication: "It was with *one consent* concluded, to treat the pamphlet (the *Farmer's FREE THOUGHTS*, &c.) as it was thought the AUTHOR DESERVED to be treated; and it was accordingly committed to the flames!" This is fine. It shews the spirit of the times; and clearly intimates what kind of law and gospel may be expected, if ever we submit to the dominion of such *Sons of Liberty*.

But yet of such a submission in this province, I think there can be no danger. The pretended *Sons of Liberty* here, have already passed the meridian of their power and importance. The eyes of my countrymen and fellow-citizens begin, at last,

to be opened to their true interest and happiness. . They have been witnesses of a long train of such infamous abuses of, and insults upon, true constitutional Liberty, as they think are unsufferable. And the time is hastening on, when men will not only venture to write and speak their own sentiments, but, in spite of Committee-men, to eat and drink as they please, without any other restraint than that of the laws.

In the mean while, under such protection as our legal constitution can at present afford me, and (which is much more) under the sanction and auspices of the late Congress, who *virtually guaranteed* to all Americans the *Liberty of the Press*; I shall proceed, in the exercise of so beneficial and essential a right, to *diffuse* some "liberal sentiments on the administration of government," amongst my countrymen, relating to a matter of the utmost importance to all the Americans; I mean, the late "administration of government" by the *Congress* itself.

In what is now to be offered to the public, I mean to avoid all personal reflexions upon the members of the Congress; for I never had any personal objections to any of them. Some of them are men for whom I have a peculiar regard, and who are generally esteemed for many excellent qualities. If I should therefore happen to speak of our own Delegates, or of the Delegates in general, disrespectfully; and yet I here pledge myself to the public that I will not speak of them so disrespectfully, as they themselves speak of the King and Parliament; the reader will be kind enough to remember, that what is thus spoken, is to be construed as spoken, of them, not in their private or personal, but their *congressional* capacity. A man's private character may be amiable, while his public proceedings are odious. Thus, for instance, it is allowed, both by friends and foes, that there is not a more amiable and worthy character in the kingdom, in private life, than that of the King's present *Prime Minister*; and yet no monster can be more detested, than his Lordship is in his public character, by our American patriots.

In order to form a right judgment of the Proceedings of the late Congress, we ought to recollect the occasion of its appointment; which, if I mistake not, was this. The peace and happiness of the American colonies had been, for some time, interrupted and disturbed, by certain acts of the British Parliament, laying restrictions upon our trade, and imposing duties on some articles of our commerce; and it was thought necessary to the restoration of peace and happiness among us, to obtain a repeal of those acts, and some proper security that we should

should not be disturbed again by acts of a similar nature. As the colonies were circumstanced, it required the most prudent management and address to gain so important a point; for it was apparent, that a small degree of misconduct would defeat the whole purpose.

The business was therefore taken out of the hands of the people, whose imprudence already had much injured the cause; and it was committed to the conduct of a few Gentlemen of distinction and character, in whose wisdom, integrity and honour the greatest confidence was reposed. The exercise of parliamentary power, in imposing what we called *taxes* upon us, was the evil complained of by the American colonies; to remove this evil, and not to increase it, was consequently the commission with which our Delegates were vested.

And had they attended to the nature and design of their commission, and acted according to it, no one would have thought it expedient to question their authority. The fomentors of our disturbances would have been under peculiar obligations to acquiesce in their determinations; and I am sure that the friends of peace would all have exerted themselves to give full force and efficacy to them.

But since the Gentlemen of the Congress have so widely mistaken their proper business; since the whole tenor of their proceedings was calculated to increase the evil, which they were sent to remove; it has become necessary to *inquire*, previously to our entering into more particular disputes, *how far the colonies are bound to abide by, and to execute the decisions of, the late Congress?* For though they speak in a high and absolute tone, and undertake "solemnly to bind themselves and their constituents;" yet there is room to question, whether, in such a course of proceedings, they were able to bind any but themselves. But supposing they were able to bind their *constituents*, that is, the persons who gave their votes for sending them to the Congress; yet, be it remembered, that a very great part of the Americans are not their *constituents* in any sense at all, as they never voted for them, nor ever signified any approbation of their acting in behalf, and in the name, of the colonies.

Before I proceed farther, I think proper, in order to remove prejudices against what may be offered, to declare, (regard it who will) that I am not conscious of being under the influence of any mercenary or private motives. I have no ambition, nor resentment, nor envy, nor jealousy, nor ill-will, that I can propose to gratify by writing. I feel myself warmly affected to the happiness of mankind in general, and of my present

present countrymen in particular; and I sincerely wish, that all Americans may enjoy as much liberty, of every kind, as is consistent with good order and safety.

I do also farther declare, honestly and candidly, that I think the policy of some of the late acts, respecting the colonies, to have been wrong;—that we do not enjoy all the privileges of Englishmen, while we give no kind of consent to the laws that govern us;—and, that it is time that we were exempted, in a regular way, from parliamentary taxation, on some generous and equitable plan.

But then it is but fair, on the other hand, to declare my belief, that the Americans, with their own *free consent*, were originally placed under the absolute authority of the English Parliament;—that they never yet have been legally exempted from it;—that they have neither right nor ability to exempt themselves;—and that they never can be properly exempted, but by the generous and friendly concessions of *Great-Britain*.

Let us now examine the grand question. Whether the Americans are bound to abide by, and to execute the decisions of, the late Congress, or not. And here it is allowed, that so far as we could *lawfully* authorise them, and in reality *did* authorise them, to act, and so far as they acted agreeably to their commission, their proceedings are undoubtedly binding upon us.

But then, if they either departed from their commission, or if their commission was unlawful in any degree, so far their proceedings can lay no obligation upon any of their constituents. Thus, if I empower a person to do for me some particular act, that act when done is binding upon me; but if the person exceeds his commission, and does in my name some other act, it is at my own option whether I will abide by it or not. Thus again, if the commission I give him be invalid, or contrary to law,—it conveys no power, and all that is done in virtue of it, is ineffectual. There can be no difference in the case, where the parties are a number of persons jointly concerned.

Whether the late Congress was an assembly strictly lawful or not, I shall not now take time to enquire. For the present I will *suppose*, that it was, considered in itself, materially lawful; and that no objections could properly be made to it till it acted illegally. It is one of the undoubted privileges of Englishmen to *petition*, in cases of grievance; and consequently to meet together for settling the substance and forms of petitions, under certain prescribed regulations. Yet, by the way, what right the Americans have to plead the privilege of *Englishmen*, any more than the privilege of *Dutchmen*, if they are not in full subjection

subjection to the authority of *Great-Britain*, let those who can, shew.

Looking then upon the Congress as lawfully assembled, let us now attend to their proper business. This was, as has been already observed, to procure for the American colonies relief from parliamentary taxation. If we examine the *credentials* that were laid before the Congress, we shall find, that the Delegates from *New-Hampshire* were sent, to "consult and adopt" (such) measures, as may have the most likely tendency to extricate the colonies from their present difficulties, to secure and perpetuate the rights, liberties and privileges, and to restore that peace, harmony and mutual confidence, which once happily subsisted between the parent country and her colonies."

The Delegates from the *Massachusetts-Bay* were publicly authorized to proceed no farther than, in conjunction with the other members of the Congress, "to deliberate and determine upon wise and proper measures; to be by them recommended to all the Colonies, for the recovery and establishment of their just rights and liberties, civil and religious †, and the restoration of union and harmony between Great Britain and the Colonies, most ardently desired by all good men."

Those from *Rhode-Island* were authorized and empowered by the Governor, "to meet and join with the Commissioners or Delegates from the other Colonies, in consulting upon proper measures to obtain a repeal of the several acts of the British Parliament; &c. and upon proper measures to establish the rights and liberties of the Colonies upon a just and solid foundation."

The Delegates from *Connecticut* were authorized and empowered to attend the Congress, "to consult and advise with the Commissioners or Committees of the several *English* Colonies in America, on proper measures for advancing the best good of the Colonies."

If we come home to *New-York*, our confidence in the wisdom and prudence of the Gentlemen appointed to go as Delegates from hence; was so great, that we gave them no particular instructions, but only a general commission "to attend the Congress at Philadelphia."

The Delegates from *New-Jersey* had the like general commission, being only nominated and appointed, "to represent the colony of *New-Jersey* in the said general congress."

† *Quere*, What religious rights had been invaded by the Parliament?

In *Pennsylvania* the House of Assembly appointed a committee from themselves to attend the Congress, in behalf of that province, "to consult upon the present unhappy state of the Colonies, and to form and adopt a plan for the purposes of obtaining redress of American grievances, ascertaining American rights upon the most solid and constitutional principles, and for establishing that union and harmony between Great Britain and the Colonies, which is indispensably necessary to the welfare and happiness of both."

The Deputies from the *Three Lower Counties*, were sent to the Congress, "to consult and advise with the Deputies from the other Colonies, and to determine upon all such prudent and lawful measures, as may be judged most expedient for the Colonies immediately and unitedly to adopt, in order to obtain relief for an oppressed people, and the redress of our general grievances."

Thus far all seems to be fair and pacific. The Delegates from these eight colonies are sent to the Congress, for the most laudable purposes, of obtaining the repeal of certain obnoxious acts, and of promoting the restoration of peace and harmony between Great Britain and her Colonies. And in the prosecution of this great and good work, they are generally confined by their instructions, to the use of such means as are prudent and lawful.

But if we go on to *Maryland*, matters there will appear doubtful, and suspicious. The Delegates from thence are appointed to do all in their power, in the Congress, "to effect one general plan of conduct, operating on the commercial connexion of the Colonies with the Mother Country." This expression is ambiguous. To operate on this commercial connexion may signify either to strengthen or weaken it, with equal propriety. If the former was intended, then their Delegates were employed to consult the Congress in forming a plan, for increasing the intercourse between Great Britain and her Colonies, in the way of commerce. And why they should have meant the latter, I cannot conceive. For I should think the people of Maryland would have no objections against a commercial connexion with Great Britain, however adverse they may be to a connexion of another kind.

Let us now step from *Maryland* into *Virginia*, and we shall hear more of this operation upon commercial connexions. For there the Delegates are instructed, may the whole Congress be instructed, "to consider of the most proper and effectual manner of so operating on the commercial connexion of the colonies with the mother-country; as to procure redress for the much
B "injured

“ injured province of the Massachusetts-Bay, to secure *British*
 “ America from (not against) the ravage and ruin of arbitrary
 “ taxes, and speedily to procure the return of that harmony
 “ and union so beneficial to the whole nation, and so ardently
 “ desired by all *British* America.” From the language that is
 here used, a stranger would imagine, that all *British* America was
 reduced to the utmost extremity of distress by the arbitrary and
 oppressive tyranny of Great Britain. But God be thanked!
 whatever the poor Virginians may have suffered, we see no marks
 yet of the ravage and ruin abovementioned in the province of
 New-York, or in the adjacent colonies. The Virginians have
 a right to seek relief from their distress, and with that view they
 may, at any time, resolve for themselves to operate on their
 own commercial connexion with Great Britain, if they think
 proper to try the experiment. But if this operation is to put an
 end to, or to suspend, all commerce with Great Britain, how
 it can be productive of the harmony and union proposed, is
 more than I can guess. The breaking of a connexion between
 two distant bodies can have no tendency to produce an union
 between them; and the setting up a fixed opposition on either
 side, is not the most likely way to obtain harmony.

In *South Carolina*, while *rice* is their staple commodity, they
 know better than to think of operating in such a way, upon the
 commercial connexion aforesaid. Therefore they only gave it in
 charge to their Delegates, “ to concert, agree to, and effectu-
 “ ally prosecute such legal measures, as in the opinion of the
 “ said deputies, and of the deputies so to be assembled, shall be
 “ most likely to obtain a repeal of the said acts, and a redress
 “ of those grievances.”

The last commission produced in the Congress was from
North-Carolina; by which the deputies from that colony were
 authorised “ to deliberate upon the present state of *British* Ame-
 “ rica, and to take such measures as they may deem prudent to
 “ effect the purpose of describing with certainty the rights of
 “ Americans, repairing the breach made in those rights, and
 “ for guarding them for the future from any such violations
 “ done under the sanction of public authority.”

We see now the powers that were committed to those, who
 were to constitute the congress. If we compare their commis-
 sions together, it will appear that the general and grand design
 was, as was asserted before, to obtain for the colonies an exemp-
 tion from taxation by the *British* Parliament. In the pursuit
 of this great object, many of the Delegates are expressly directed
 by their respective constituents, to confine themselves to the

use of such means and measures as are proper and lawful; some of them are particularly cautioned to observe the rules of *prudence* in the course of their proceedings; and some of them are very seasonably reminded, that they were to negotiate, not for an *independent* community, but for *British* America; that is, if I understand the expression, for North America, considered as a part of the *British dominions*.

If these commissions are thought by any to require a more particular explanation, they may have recourse to the *resolves* of the several Assemblies and Committees, which they published previously to their nominating and appointing Delegates to represent them in Congress, and in which their principles and their views are particularly explained. Of these *resolves* more will be said presently.

The Congress being met together, and having inspected and compared their various commissions, were next to proceed upon business. With a view of facilitating the proceedings, a very worthy and respectable member, eminent both for his knowledge of the law, and his love of constitutional liberty, presented a plan, which he carefully drew up in the cool hours of leisure and retirement, and in which he endeavoured to point out such claims of the colonies as might be prudently asserted, and the particular modes of address that would be most likely to secure them. This paper of proposals, at first, met with all the respect that was due to the author's abilities; and nothing appeared that was inconsistent with the genuine spirit of candour and moderation on one side, and a due regard to the dignity and honour of Great-Britain on the other.

During this state of flattering tranquillity, the artful leaders of the Congress found no great difficulty in persuading those members who were patriots in reality, moderate and pacific, honest and unsuspicious, to bind themselves in an agreement, that their names should be subscribed to whatever should be carried by a majority of votes, and that no *protest* or *dissent* should appear in the *minutes*.

After this great point was secured, it was not long before those same leaders took occasion to throw off their mask, and to discover their own natural features. This new appearance was no more expected by some that were present, than the springing of a mine, or the bursting of a bomb, in Carpenter's-Hall; nor was it less astonishing to them, than such an explosion would have been. The moderate party soon found, that they had been circumvented and ensnared; that they were allowed to have no influence in the debates; that their remon-

frances were slighted; and that every thing was borne down by the impetuosity of their managers. Then it was, that duty and honour required them, as I conceive, to leave the Hall. This account of the unpublished transactions within doors, is not a fiction of the writer's imagination, but what he has collected from credible report.

Let us now proceed to form a judgment from more indisputable evidence, and see how matters stand in the publications of the Congress.

There are but four possible ways of securing to the colonies an exemption from the authority in question; namely, by force of arms, by force of threatenings, by force of evidence that we are justly entitled to our claims, and by the efficacy of respectful representations and petitions.

As to the two first of these ways the congress had no authority or directions from their constituents to pursue them; but, on the contrary, most of them were forbid to pursue them, by being charged to keep within the bounds of what was prudent and lawful. Whatever therefore was done by them, in either of these ways, was *without* orders, in some instances contrary to orders, and can lay no obligation even upon their constituents.

If passing by the words of their *instructions*, we have recourse to the general sentiments of the Colonies, when the Congress was appointed, it will not help the matter. At that time it was the opinion of the Colonies, that subjection and obedience were due from us to Great-Britain, in most cases.

Her general supremacy over the Colonies was then acknowledged; and it was the opinion that the time was not come, in which it was proper to claim an independency, or in which they were able to support it. On these principles, the use of force or compulsion against Great-Britain is both imprudent and unlawful, as being inconsistent with that subjection which is allowed to be due. Consequently we cannot suppose, that the Colonies, at that time, intended to make the Congress a meer *Council of War*, to concert plans of hostility against Great-Britain, in order to dispossess her of her American jurisdiction; and if the Congress was not erected into a council of war by their constituents, they had no right to act in that capacity, and every hostile effort that they made, was in virtue of an usurped or self-delegated authority.

What the general opinion, even of the most dissatisfied part of the Colonies, then was, relating to these points, may be seen in the *printed resolves* from all parts of the country; and it is not to be gathered from the passionate *verbal* declarations of a few

fellows, whose greatest merit consists in blustering and bellowing at town meetings, or in assemblies of the *mobility*. In most of those resolves, the *loyalty* of the people is warmly asserted, and their abhorrence of an absolute independency, as destructive to the Colonies, is as warmly avowed. And therefore, if any weight was to be allowed to the many public and solemn declarations of those *resolves*, the Congress must have known, that it was no part of their business to concert measures that were inconsistent with the *loyalty* professed, or with the subordination acknowledged to be due to the mother country,—at least, till all other methods should be tried, and found to be ineffectual, and till they should receive new instructions.

It follows from this view of the case, by necessary consequence, that all that was done or projected by the congress, in the way of hostility against Great-Britain (and little was done or projected by them in any other way) was uncommissioned and unauthorized, and cannot be binding even upon their constituents.

As to the *second* way abovementioned, I will, at present, only observe, that what they had no right nor power to do, they had no right to *threaten* that they would do; and that we are no more obliged to adopt the language of their threatenings, than to execute their projects of hostility.

The *third* way of securing to the Colonies an exemption from the authority of parliament, with regard to taxation, would have been to prove, that this privilege had been properly granted to them, either in the original establishment of the colonies, or by some legal subsequent act. A point of this nature must be proved by clear *facts*, and not by metaphysical arguments, taken from the abstract nature of Englishmen, and of such Englishmen too as refuse submission to the English laws. For though the parliament has always exercised the authority which is now contested, and has in a late act declared, “ that the said Colonies have been, are, and of right ought to be subordinate unto, and dependent on the imperial crown and parliament of Great-Britain; and that the King and Parliament of Great Britain had, have, and of right ought to have full power and authority to make laws and statutes of sufficient force to bind the Colonies, and his Majesty’s subjects in them, *in all cases whatsoever* ;” which doctrine is as firmly believed by the inhabitants of Great-Britain in general, as the contrary is by perhaps one half of the Americans: yet, if the congress could

could have made it appear, either by authentic facts, or conclusive arguments, that the parliament was mistaken, it would have gone far towards securing the great object in view. If after that the parliament would have still persisted in its claim, we might have appealed to the world for its invalidity; and none of us would have had *scruples of conscience*, to prevent our joining in a general association to recover by a vigorous effort, a right that was rendered unquestionable. But the Congress has neither proved *the right*, nor attempted to prove it. *Non ad disputandum, sed ad judicandum, se convenisse aiebat synodus.*

The *fourth* way for obtaining the relief proposed, is that of respectful representation, or remonstrance, and petition. The Congress indeed, has remonstrated and petitioned; but to whom? Why, not to the King and parliament, as they ought to have done; but, as they by no means ought to have done, to the inhabitants of the Colonies, with a particular view to the disaffected part of them,—to the *people* of Great-Britain,—and, as very “sincere and affectionate friends,” to the Papists in Canada.

“*Flectere si nequeo Superos, Acheronta movebo.*”

And what is the purport of these several addresses? Instead of exhorting the inhabitants of the Colonies, as the case required, to return immediately to their duty, to behave themselves peaceably, to pursue the business of their respective stations and occupations, not pragmatically to meddle with matters out of their line, and above their capacities, and to leave the direction of political affairs to the constitutional guardians of their liberties; I say, instead of doing this, they set them all up for politicians and patriots, inflame their minds with resentment against their lawful superiors, and animate them to rebellion.

The tendency of their address to the people of Great-Britain, is similar, it being artfully adapted to the purpose; which is to persuade them to take part with the malecontents of America, in opposition to their own Sovereign, and the whole legislative body, and in defiance of all laws human and divine. Throughout this address, there seems to be no small diffidence of its succeeding; and therefore under the alternate operation of hope, and fear, and contempt, the blind and stupid Englishmen are occasionally either coaxed, or threatened, or given to understand, that we look upon them as a parcel of fools and puppies.

After all, the address to the Canadians is undoubtedly the most unpardonable of the three, as it discovers the deepest and

most

most inveterate malignity against the mother country. In that we see every mean, cajoling art practiced, that was thought likely to disaffect the Canadians to the government they are under, and to corrupt their fidelity.

This is what the Congress has done in the way of petition and remonstrance; excepting the petition to the King, which they tell us they have sent. But if the petition be of a piece with the addresses, and dictated by the same evil spirit; it would have shewn more wisdom, and modesty, and as much loyalty, to have preferred a petition, on such an occasion, to the King of France, or the Emperor of Morocco.

The only way that had so much as a chance for succeeding, and which all reasonable men, so far as I can learn, expected the Congress would pursue, was that of dutiful and respectful application to the *King, Lords and Commons* of Great-Britain, upon whose united consent and concurrence the important concession depended, and if the Congress had addressed *only* the three branches of the legislature of Great Britain, in behalf of the colonies; and if the addresses to them had been duly expressive, of loyalty to the King — of a desire to continue members of the great British empire,—of a willing submission to the superintending authority of Great-Britain—of an aversion to a state of independency, except in matters of taxation only—of a readiness to comply with the King's requisitions in all cases of exigency, and also to contribute some equitable annual sum, towards defraying the annual charges of government, in consideration of being released from parliamentary taxation; and if, at the same time, they had endeavoured to excuse, as well as they could, the late unwarrantable proceedings in most of the Colonies, begging they might sink in eternal oblivion: I doubt not but petitions, formed on some such plan, and attended with no circumstances that were offensive or exceptionable; would have had much weight with the King and Parliament; and it is not improbable that the prayer of them would have been granted.

Nor let it be said, that *such* petitions from the Congress would not have been received. They could not have been received, as coming from a legal body; but they might have been received, as coming from a number of respectable men, and relating to matters of great importance to the public. In January, 1769, a petition on this very subject of parliamentary taxation, was presented to Parliament, from a number of Gentlemen of the Massachusetts Bay, which included a majority of the members of the Council, and was signed by Mr. Dan-
forth

forth, as President. " It however appearing that this petition had not passed in a *legal assembly* of the Council, and that consequently no person could be authorised to sign it as *President*; it was refused under *that title*, and was ordered to be brought up, only as a petition from *Samuel Danforth*, in behalf of the several individual members of the Council, at whose request it had been signed." This is a case directly in point; and we may infer from it, that although the Parliament would not have received an address, signed by Mr. *Randolph*, as *President of the Congress*, yet that they might have received one as coming from *Peyton Randolph*, in behalf of all those individuals who were members of the Congress. This way of *addressing* the Parliament would therefore have been prudent and rational, and far more likely to succeed than any other which the Congress could have taken. And after such a trial, if it failed of success, the colonies would have been less inexcusable in proceeding to violent measures.

The reader will be better able to form a proper judgment of this matter, if he attends to the following excellent letter, written to the Governor of the Massachusetts-Bay in 1765, by *General Conway*, then one of his Majesty's Principal Secretaries of State, and as true a friend to the rights and liberties of America, as England has ever bred. Though he wrote *officially*, yet the letter is known to express his own particular sentiments, as well as those of the administration. It is in the following words:

" It is with the greatest concern his Majesty learns the disturbances which have lately arisen in your province, the general confusion that seems to reign there, and the total languor and want of energy in your government to exert itself with any dignity or efficacy, for the suppression of tumults, which seem to strike at the very being of all authority and subordination amongst you.

" Nothing can certainly exceed the *ill-advised* and intemperate conduct held by a party in your province, which can in no way contribute to the removal of any real grievances they might labour under, but may tend to impede and obstruct the exertion of his Majesty's benevolent attention to the ease and comfort, as well as to the welfare of all his people.

" It is hoped and expected, that this want of confidence in the justice and tenderness of the mother country, and this open resistance to its authority, can only have found place among the lower and more ignorant of the people: The better and wiser part of the Colonies will know, that decency and submission may

prevail.

prevail, not only to redress Grievances, but to obtain Grace and Favour, while the outrage of a public violence can expect nothing but severity and chastisement.

"These sentiments you and all his Majesty's servants, from a sense of your duty to, and love of your country, will endeavor to excite and encourage; you will all in a particular manner, call upon them, *not to render their case desperate*. You will in the strongest colours represent to them the dreadful consequences that must inevitably attend the forcible and violent resistances to acts of the British Parliament, and the scene of misery and destruction to both countries, inseparable from such a conduct.

For however unwillingly his Majesty may consent to the exertion of such powers as may endanger the safety of a single subject; yet can he not permit his own dignity and the authority of the British Legislature to be trampled on by force and violence, and in avowed contempt of all order, duty, and decorum.

"If the subject is aggrieved, he knows in what manner legally and constitutionally to apply for relief; but it is not suitable either to the safety or dignity of the British Empire, that any individuals, under the pretence of redressing grievances, should presume to violate the public peace."[†]

In this Letter, with which the Congress must have been acquainted, the only way of procuring the redress of American Grievances, and of obtaining favour from Great-Britain, is pointed out by authority; and a friendly caution is given against a contrary way of proceeding; as it can expect *nothing but severity and chastisement*. The Congress therefore, in order to procure a redress of American grievances, and to obtain the favor of a free American constitution (which was the purport of their commission) in their profound Wisdom and Sagacity, have rejected the only way, which they had been told would be likely to succeed, and have adopted that specific mode of conduct which they had been told would not succeed, but would bring down upon them and their adherents *severity and chastisement*, and render their case desperate.

But this was such a breach of the trust reposed in them, and so contrary to the very end and design of their appointment, that even those whom they call their constituents cannot possibly be bound, either in honour or conscience

[†] All the Printers of News-PAPERS on this Continent, who have a Regard for the true Interests of their Country, are requested to publish the above Letter, in order to give some check to the Operation of that seditious Poison, which so many of the Americans have been persuaded inadvertently to swallow.

to abide by it. Some that were forward in voting for delegates to represent them in the congress, are highly chagrined and disgusted at their proceedings, and scruple not to declare, that, for their parts, they gave them no power to shut up the ports, and stop their necessary business of the country, upon which the prosperity and happiness of the people absolutely depended; much less to provoke and insult a power, which never yet has been provoked and insulted with impunity. And as to others, who still appear to approve of the proceedings of the Congress; they did not, because they could not, give their Delegates a power to act in opposition to the laws of their country and that the general course of their actions was, in almost every point contrary to law, will shortly be proved.

If then their *constituents* are not bound by their proceedings, there can be no dispute with regard to others, who amount to a large majority of the inhabitants, especially in the province of New-York. In some Parts of this province, the people had no meetings at all, as they would have no hand in the manufacturing of committees. In other parts, the meetings did not consist of a hundredth part of the inhabitants; and there is neither county, town nor precinct in the province, excepting the county and city of New-York, in which the number of voters for Committee-men, was comparable with the number of those who refused to be concerned in the business, if I have been rightly informed. The greatest part of this province therefore are under no ties, either real or imaginary, to submit to the decisions of the Congress; but, on the contrary, they are under the strongest ties, both of duty and interest, to give them no countenance. We are not to judge of the province in general, from appearances in the city; nor ought we to imagine, that our substantial Farmers, or the Store-keepers and Tradesmen in the country, because they have tamely submitted, in most cases, to be *governed* by the city, will consent to be *ruined* by it.

As matters have turned out, it is much to the credit of this province, that so very small a part of it was represented in the Congress. It is a farther credit to us, that, as *we have reason to believe*, the Delegates from hence opposed, with all their influence, the headlong and destructive measures taken by the Congress, that they still disapprove of them, and that they do not really wish that we would pursue them. This is naturally inferred from their known disposition and sentiments; and our opinion is confirmed by certain *anecdotes* from Philadelphia that have reached us. If this was actually the case, our opposi-

sion to the proceedings of the Congress, or rather our total disregard of them otherwise than to shew our contempt and abhorrence of them, is also justified by the opposition that was made to them on the spot, by the New-York Delegates, on their first proposal. None of us had any thing to do with the Congress but by representation; all that we did by representation, was to oppose and protest against what was transacted; and after having opposed the proceedings of the Congress by our particular *representatives*, those of us who were then represented, are bound in honour *personally* to oppose them too.

That such was the conduct of the Delegates from New-York, is the general opinion. We think however, that we are justly entitled to more direct and authentic information; and therefore those Gentlemen are now called upon explicitly to declare, how far they consented to, or opposed, the resolutions of the Congress. When *the people*, under no directions of the law, but prompted by their own alacrity, choose agents to appear for them, and negotiate their concerns at a general meeting of *popular committees* from different parts of the country; they have always a right to be informed, in what particular manner the trust has been executed. No resolves of perpetual secrecy, no combinations to keep their employers always in the dark, could dissolve the prior obligations our Delegates were under, to make report, on their return, in what manner they discharged their commission, and how far they exerted themselves to fulfil the design of their appointment.

Accordingly it is hoped, that the worthy and candid Gentlemen, who appeared at the Congress in behalf of this province, will take the hint, and not wait to be called upon again, as they certainly will be if they refuse to comply; and make a full and clear report of their own particular transactions, during the debates and proceedings of the Congress. Till we certainly know *how* they acted, to *thank* them for their actions, will be premature, absurd and preposterous, — asking the pardon of our city *Mechanics*.

What is called a *Journal* of the transactions of the Congress, after a long while made its appearance. Why this was kept back near a month, unless to see in what manner the *Extracts* that had been published would be received by the public, I am unable to explain. I pretend not to fathom the depth of *congressional* politics. I can only say, that on perusing the *Journal*, I was not a little disappointed. I imagined that after a month's labour of the press, the production would have been a huge volume of *the Proceedings*, which would have clearly and faithfully

faithfully shewn, what part each member contributed to the mighty work that was formed. But—*parturient montes*. We are still in the dark, nearly as much as ever. We are told indeed what Committees were appointed to frame the several addresses; but we are not told what particular members of those Committees dissented from the rest, and were over-ruled by the majority. In short we know not from the *Journal*, what part any one gentleman acted, who was honoured with our confidence, and entrusted in some degree with our interests and safety. Till this matter is explained, or, at least, till some assurances are given, that it shall be explained, every member of the Congress must bear a part of the odium of having jointly contributed to the formation of a plan, which is, like what they are pleased to call the *established* religion of Canada “fraught with sanguinary and impious tenets,” and which will go near to prove fatal to the Colonies.

If the greatest Enemies of British-America had been employed to contrive the ruin of the colonies, they could not have proposed a more effectual scheme for the purpose, than that we should be led on to provoke the resentment, and enrage the power, of Great-Britain, by acts of hostility and rebellion. Now the Congress appears to me, and appears to thousands of others in this country, not indeed to have contrived, but to have adopted from New-England, this very scheme; and then to have recommended it to the Americans with all their influence.

That a forcible opposition to the King's troops, when employed to protect the King's civil officers in the execution of the British laws within the British dominions, is an act of hostility against Great-Britain, is surely too plain to require proof. The laws of England have made it *treason*, which is the highest and most unpardonable of all crimes relating to the state. For when crimes of this nature are properly classed, “The third species of treason is, if a man do *levy war* “*against our Lord the King in his realm*. And this may be “done by taking arms, not only to dethrone the King, “but under pretence to reform religion, or the laws, “or to remove evil counsellors, or other grievances, whether “real or pretended”†. I beg the reader, before he proceeds farther, to peruse this question a second time, and to give every part of it the attention it deserves.

Now whether we will allow these colonies to be within

the *British* Realm or not, it is certain that Great-Britain claims a jurisdiction over the colonies *as a part of its realm*, and will consider the same actions to be *treason* here which are *treason* in England; and there can be no doubt but that a war levied against the King by any of *his subjects*, whether in Europe or America, will be treated as equally criminal. Yet supposing the contrary, we know that force opposed to the King's troops in America will be repelled by force; and this will necessarily produce a war between Great Britain and these colonies, in which the strongest must conquer.

The people in New-England, if they have not actually levied war against the King, have manifestly discovered a *disposition* to levy war against him; and throughout the summer past they have been making such military preparations, as can have no other end than to enable them to fight the King's troops. Nay, on a certain false alarm, that was given to try the temper of the people, they were all in arms, and assembled together by thousands, with no other design than to fight the King's army in Boston; and they *would* have fought them, if they had met with an opportunity.

Now, what can the Congress say, to such *treasonable* proceedings as these? Take it in their own words.

"RESOLVED,

"That this Congress do APPROVE of the opposition made
"by the Inhabitants of the Massachusetts-Bay, to the execution
"of the late acts of parliament; and if the same shall be at-
"tempted to be carried into execution by force, in such case
"ALL AMERICA OUGHT TO SUPPORT THEM IN THEIR
"OPPOSITION."

The *Earl* of CHATHAM, one of the most illustrious patrons of American liberty, speaking of a much less exceptionable part of the conduct of the New-England people, says: "Their resentment got the ascendant of their duty, and hurried them into actions contrary to all laws of policy, civilization and humanity, which, in their cooler hours, they would have thought on with horror."* What his Lordship here strongly condemns, and even what is unspeakably worse, the Congress are not ashamed, in the face of the public, to approve of, and to recommend to the patronage and support of all America. Thus we likewise see how contrary to the sentiments of their warmest friends in England the Congress have proceeded; and after this, they can be no longer entitled to expect that they will continue to be their advocates.

* See the Supplement to *Holt's Paper* of September 8.

Having

Having taken a view of one part of *the line*, in which the people of New-England had proceeded in their opposition to Parliament, at the time of the Congress, let us now attend to another. The county of *Suffolk*, of which Boston is the capital, at a meeting of Delegates from every town and district in the county, on the 6th of September, after a preamble, beginning with these dutiful and decent expressions: "Whereas the power, but not the justice, the vengeance but not the wisdom, of Great-Britain, which of old persecuted, scourged and excited our fugitive parents from their native shores, now pursues us their *guiltless* children with unrelenting severity" — *Resolved*, among other things,

"4. That *no obedience is due* from this province to either or any part of *the acts* abovementioned, but that they be rejected as the attempts of a wicked administration to enslave America. —

"6. That if the justices of the superior court of judicature, assize, &c. justices of the court of common pleas, or of the general sessions of the peace, shall sit and act during their present disqualified state, *this county will support and bear harmless* all sheriffs and other deputies, constables, jurors, and other officers, who shall *refuse to carry into execution the orders of said court*. —

"8. That all persons refusing" (to give up their commissions held under the present act) "shall from and after said day" (the 20th of September) "be considered by this county as *obstinate and incorrigible enemies* to this country. —

"11. That whereas our enemies have flattered themselves, that they shall make an easy prey of this numerous, brave and hardy people, from an apprehension that they are unacquainted with military discipline, we therefore for the honour, *defence and security* of this country and province, advise, as it has been recommended to take away all commissions from the officers of the militia, that those who now hold commissions, or such other persons be re-elected in each town as officers in the militia, as shall be judged of sufficient capacity for that purpose, and who have evidenced themselves the inflexible friends to the rights of the people; and that the inhabitants of these towns and districts who are qualified do use their utmost diligence to acquaint themselves with the *art of war* as soon as possible, and do for that purpose *appear under arms* at least once every week. —

"13. That as we understand it has been in contemplation to apprehend sundry persons of this county, who have rendered
" *themselves*

themselves conspicuous in contending for the violated rights and liberties of their countrymen, we do recommend, should such audacious measure be put in practice, to seize and keep in safe custody, every servant of the present tyrannical and unconstitutional government throughout the county and province, until the persons so apprehended, be liberated from the hands of our adversaries, and restored safe and uninjured to their respective friends and families."

If this scheme be analyzed, it will be found evidently to contain in it the following ingredients. *First*, a DECLARATION of INDEPENDENCY, made by the Suffolk Committees, asserting that *no obedience is due* from them to any acts of Parliaments, which they disapprove of. *Secondly*, an EDICT, to shut up the courts of justice, which shall presume to act by authority derived from the King and Parliament. *Thirdly*, a PROSCRIPTION, of all that do not resign their commissions held under the authority aforesaid, as *obstinate and incorrigible enemies*, who are to be treated accordingly. *Fourthly*, a PROCLAMATION, that officers be forthwith appointed by the people, to supersede those that are appointed by the Crown. *Fifthly*, an ORDER, issued to their own officers and people to arm themselves, and *learn the art of war*, to qualify them to fight against their LAWFUL SOVEREIGN. And, *Sixthly*, a DECREE, for seizing and throwing under confinement, (perhaps in dungeons, with a scanty allowance of bread and water only) every person in the province who is thought worthy of confidence by the crown; in case the King's officers of justice should be so audacious, as to apprehend any of those delinquents who have rendered themselves conspicuous in the late riotous, tumultuous and seditious proceedings of that province.

Now if all this does not amount to an open revolt and rebellion, I have always mistaken the meaning of the word; and I shall be obliged to any gentleman, learned in the law or acquainted with history, if he will inform me, or the public, what rebellion is.

Indeed what rebellion is not, we have been lately told, with much confidence, in the STRACTIONS of a certain wandering spirit; who has thought fit to interpose in the literary way for the honour of New-England. This writer contends, that "no man who is not blinded by the Dæmon of Jacobitism, could possibly be guilty of the weakness," of calling *Cromwell's* resistance a rebellion. It will be allowed on all sides, that, if *Cromwell's* dethroning and murdering his Sovereign, whose title to the throne was unquestionable—his ravaging and laying waste

waste his kingdoms—his dissolving the authority of the Lords and Commons,—and his total subversion of the constitution,—did not amount to a rebellion; then the people of *Suffolk* are not guilty of rebellion. But whatever this political *partisan* may think of the matter, all reputable writers, whether of our own or of foreign nations, and all our acts of Parliament, that mention it, call *Cromwell's* outrageous opposition to legal authority, a *rebellion*; and one act in particular calls it, “the unnatural rebellion, usurpation and tyranny of ungodly and cruel men.” In the sense therefore of all those writers, and of all those acts of Parliament, the people of *Suffolk* must appear, in no small degree, to be guilty of *rebellion*. The writer here referred to, intimates, that he himself is no *Jacobite*. So far may be well enough. But if, at the same time, he had shewn himself to be more of a *Georgeite*, and less of a *Cromwellite*, it would have been more becoming, in a person of his supposed station.

Let us now lift up our eyes, and turn them to the Congress. As soon as they received, by express, an authentic copy of the above-mentioned *Suffolk Resolves*, they broke through all their rules of secrecy, and, at once, gave such a blast from the trumpet of sedition, as made one half of America shudder. If this language be too figurative, I will endeavour to express myself in plainer terms. Know then, courteous reader, that the Congress, on receiving those *Suffolk resolves*, which they ought to have sent back with indignation and abhorrence; on that very day, some say in the same hour, but however, without any hesitation, or taking time to debate, resolved to proclaim from the press, their approbation of them,—and, which is more, their *thorough* approbation of them,—nay, which is more still, their *most thorough* approbation of them, without any exception. This appeared from the *minutes* then published, and signed, by order, CHARLES THOMSON, Secretary; in which the whole copy of those *resolves* is inserted, and honoured with the following encomium.

“The Congress taking the foregoing into consideration,

“Resolved unanimously,

“That this assembly deeply feels the suffering of their countrymen in the Massachusetts-Bay, under the operation of the late unjust, cruel and oppressive acts of the British Parliament; that they *most thoroughly* approve the wisdom and fortitude with which opposition to those wicked ministerial measures has hitherto been conducted, and they earnestly recommend to their brethren a perseverance in the same firm and temperate

temperate conduct as expressed in the resolutions determined upon at a meeting of the Delegates for the county of Suffolk, on Tuesday the 16th instant, trusting, that the effect of the united efforts of North-America in their behalf, will carry such conviction to the British nation, of the unwise, unjust, and ruinous policy of the present administration, as quickly to introduce better men and wiser measures."

It is denied, I am told, by some of the advocates for the Congress, that they (the Congress) ever meant to signify their approbation of the *whole* proceedings of the county of Suffolk. But such an insult upon common sense is absolutely unfufferable. If their meaning is to be taken from plain and unequivocal language, they certainly meant, in this *Resolve*, to express the strongest approbation of the whole, and every part, of the Suffolk proceedings.

That the Congress have, in reality, given their sanction to the rebellion that has begun in the county of Suffolk, is to me as evident as words, and corresponding facts, are able to make it. In this sense, the people of Suffolk themselves have understood the *resolve*; in this sense, the Americans in general are known to understand it; and not a member of the Congress has stood forth, to remove the mistake, or to soften the common interpretation. Till something of the Kind is thus done, and the language of the *resolve* is otherwise fairly accounted for; it will be impossible for the Americans not to continue in the belief, that the Congress have taken the part which is here ascribed to them, and have recommended a rebellious opposition to the supreme authority of the British empire.

What must be the consequence of a rebellious war with the Mother Country, any person of common sense, if he will take the liberty to exercise it, may easily foresee. Even a final victory would effectually ruin us; as it would necessarily introduce civil wars among ourselves, and leave us open and exposed to the avarice and ambition of every maritime power in Europe or America. And till one part of this country shall have subdued the other, and conquered a considerable part of the world besides, this peaceful region must become, and continue to be, a theatre of inconceivable misery and horror.

But that we should have any expectation or hope of being able to conquer or withstand the force of Great-Britain; is to me astonishing. I doubt not but the Americans are naturally as brave as any other people; and it is allowed, that they are not wanting in numbers. But they are without fortresses, without discipline, without military stores, without money.

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These are deficiencies which it must be the work of an age to remove; and while they continue, it will be impossible to keep an army in the field.

Some may imagine, that discipline of itself will be sufficient for the purpose; and that disciplined men may be easily made in such a country as this. But it is not in the power of all the friends of the Congress, to introduce what deserves the name of discipline into any of the colonies to the southward of New-England; not for want of men capable of teaching it, but for want of a fund for regular pay, and authority, to keep a proper number of soldiers together. But had they men enough that were completely disciplined, they would not be able to march one regiment so far as to Boston. A regiment on actual duty, at a distance from home, must be punctually paid, and must be governed by an authority, the *legality* of which they are unable to question; otherwise, they will soon grow tired of the service, become mutinous, learn to be jealous of their own rights and liberties, and refuse to be led on, or governed by a set of unconstitutional officers.

The circumstances of New-England are such, that a large number of armed and half-disciplined men might be got together, in the neighbourhood of Boston, on some great and general alarm; but they could not continue there a week, without eating up the country, and being obliged to disperse to avoid starving. If it is their business to fight the King's troops, they must be able to bring them to a battle immediately, and at their own time; or else they will have reason to rue the attempt. Besides; supposing they had an army of 50,000 men, provided for in such a manner as to be able to form a regular encampment; if the appearance of the King's troops would not, yet a report that the *small-pox* was among them, instantly would put them to flight. This is not said by way of reflection on the people of New-England; for were the small-pox to get into their army, and by that means, to spread through the country, it would undoubtedly sweep off a great part of its inhabitants.

I shall pursue the subject of the inability of America, to defend itself in a war with Great-Britain, no farther; as the reader may easily improve upon these hints.

To those who are so absurd as to depend upon *possibilities* only I have but little to say. It is barely possible that the stars in their courses may fight in favor of the colonies, that an earth-quake may swallow up the King's army in Boston, and that every ship of war and every transport ordered from England to America may be blasted with lightning, or overwhelmed in

in the ocean. But if there should be no miraculous interposition of heaven to defeat the natural power of the mother country, should we go on to enrage it, it must at last fall upon us with an irresistible impetuosity.

I have often thought that all our hostile declarations and appearances were never intended for any thing more than threatenings, in order to intimidate Great-Britain. If this is the case, it appears impossible that they should answer the purpose. Whatever we may think of ourselves, it is not the opinion in England that our power at present is equal to theirs. Our threatenings therefore will appear to the mother country to be ridiculous and contemptible. If we have no power to execute, we have no right to threaten; and every effort in this way will expose our folly.

But the Congress, not relying altogether on the military strength of the colonies, nor on the success of their threatening to exert it, have proceeded also to form an *Association*, in which they bind themselves and all whom they represent, as far as they are able, not to import any British goods, after a certain limited time, and to support this resolution by a non-consumption agreement. The non-importation is extended to Ireland, the West-Indies, the Western Islands, &c. After a while a non-exportation is to follow. We are then to cut ourselves off from all communication with those foreign markets, which have supplied and enriched the colonies; and there is not to be the least relaxation, till twenty acts of Parliament are repealed to please us, some of which immediately affect us, and some of which do not concern us.

It is no small thing to obtain the repeal of one act of Parliament, even when the regular and proper steps are taken; but to demand the repeal of a long succession of acts, and to require that the Parliament should make the most humiliating concessions to us, is such a piece of heroism as has no parallel. And the penalty of non-compliance is still more heroical than the demand itself; for it is inflicted upon ourselves, principally and chiefly. We engage to deprive ourselves of the comforts of life, to become as poor as dogs, and to live like savages, if the Parliament will not consent to give up its authority. I have heard of non-importation schemes before; but of none that was comparable with the present one.

In our former non-importation agreement, some regard was shewn for the *lives* of the Americans, and therefore drugs and medicines were excepted. But now, considerations of this kind are not regarded, and we are not allowed to import anti-

mony, nor mercury, either crude or prepared, nor Jesuit's bark; though we know that every year thousands of lives in America are owing to a proper use of these capital medicines. We may think little of such matters, so long as we or our families are in health, or before the present stock is exhausted; but afterwards, should we, or our wives and children, come to struggle with sickness, and to be seized with obstinate disorders, which will yield to the force of no medicines, but such as we are deprived of by our non-importation agreement, we shall be apt to entertain no very high opinion of the wisdom of the Congress in this particular.

There seems to have been much pains bestowed upon the non-importation plan, in selecting and rejecting, and putting distinctions on the various articles of commerce; but after all, many parts of it appear to be whimsical and partial. Thus, for instance, foreign indigo is excluded, while foreign coffee, liable to the same objections, is admitted. Foreign molasses is not to be imported, while it pays a duty of a penny sterling; but as soon as the present act is repealed, by which it will become subject to a duty of six pence, the importation of it is considered as not interfering with the rights of the colonies. This, by the way, is opening a fine back-door for the smugglers, with all that train of guilt which commonly attends them.

In the 4th article of the *Association*, the Congress resolve, after a certain period, not to "export any merchandize or commodity whatsoever to Great-Britain, Ireland, or the West-Indies, except rice to Europe." This phraseology is original, and hardly intelligible. In exactly the same style the Provincial Congress of the Massachusetts-Bay might resolve: "We will export nothing to Pennsylvania, the three Lower Counties, or Long-Island, except cod-fish to the North-American colonies." But to let this pass. By the artful construction of the sentence, it seems to have been the design of the Congress to delude the Americans with an insinuation, that rice might be exported from Carolina, to Europe in general, without sending any part of it to Great-Britain. It may therefore be proper to explain to the reader, under what regulations the exportation of American rice has been placed by acts of Parliament.

By an act, in the reign of Queen Anne, all rice produced in the English plantations in America, that should be sent abroad, was required to be imported into England, Wales, or Berwick upon Tweed, or to some other of the Plantations, under such securities and penalties as certain enumerated goods and commodities

ities were made subject to by an act of the 12th Charles II. But by an act of the 3d George II. it was provided, that rice may be carried from Carolina directly to any part of Europe southward of Cape *Finisterre*, without landing it in England, as formerly required, on the following conditions:—That the vessels in which it is exported, be *built* in Great-Britain, owned by persons *residing* in Great-Britain, navigated chiefly by British sailors, and cleared outwards from some port in Great-Britain, for Carolina:—That every master of such vessel, before he can be entitled to a clearance, must obtain a *licence* from the Commissioners of the Customs, for loading in Carolina, with rice, for such parts of Europe as are southward of Cape *Finisterre*; in order to which he must produce a *certificate* from the collector and comptroller of the port where the licence is applied for, certifying that he has given bond, for not less than £. 1000 sterling, be his vessel ever so small, with sufficient security, that no tobacco, sugar, &c. shall be taken on board, unless for the necessary use of the ship:—That every such vessel, after landing its rice in the southern European ports, shall proceed to Great-Britain *before* it returns to America; and in case the master, or others in his name, do not produce, within a limited time, a *certificate*, from the British *Consul*, or, in his absence from some principal merchants of the foreign port made use of, of having landed the rice in the manner prescribed, his bond shall be forfeited.

But this is not all, nor yet half. It is farther enacted, that before taking in the rice, the masters of the vessels shall deliver to the collector of the port in Carolina, the abovementioned licences and certificates, and make *oath* of their intentions relating to their cargoes; and after going through as many other forms, and submitting to as many other restraints, as have been already mentioned, (all which it would be tedious to enumerate) that they shall pay to the collector or comptroller in Carolina, “the full sum for the half-subsidy for all the rice mentioned in their papers; and in case the same is not paid within thirty days after the demand made, the bond shall be forfeited, and shall and may be put in suit, and the persons bound therein, shall pay *treble costs*. †

This is the act under which rice may be exported from Carolina; and from the foregoing particulars we may be able to judge, what the Congress *mean* by exporting rice to Europe. For unless they can believe, that the commissioners of the

† See Ruffhead's Statutes at large, vol. vi.

customs in England will give their *licence* to the Carolina exporters, from time to time, to carry *all* their rice to the European ports that are to the southward of Cape Finisterre, their agreement to export rice to *Europe*, must imply their *consent* to export no small part of it directly to *Great-Britain*; though they attempt ungenerously to conceal it from the northern colonies, by a studied vagueness of expression.

It is impossible to single out any one act of Parliament, that is more obnoxious for its display of that parliamentary supremacy which is denied by the Congress, than this act which regulates the exportation of rice. And yet a quiet submission is paid to this act, while others less exceptionable are opposed with such a spirit of licentiousness, as threatens the destruction of all the colonies.*

But the reason of this partiality is known in part. The Delegates from Carolina were firmly attached to the interests of their constituents, and would not consent to their immediate ruin. They opposed and remonstrated with spirit; and rather than they should be suffered to withdraw themselves from the Congress, as they threatened, their requisition was granted. Had the Delegates from this province, who are not suspected of wanting as firm an attachment to our interests, been possessed of as intrepid a resolution as their brethren from Carolina, and followed their spirited example; we might have come in too for some share of indulgence. But they always suffered themselves to be borne down by a majority of votes, from the *Republicans* of the East, and the *Aristocracies* of the South; and the consequence is, that we have received no more benefit from an *actual* representation in the Congress, than from a *virtual* one in Parliament.

It would be endless to point out, and remark upon, all the instances of the fanciful and whimsical disposition of the Congress, which appear in their papers: such as their regulating the expences of *funerals*, but not of *weddings*,—their making *sumptuary*, but not *agrarian* laws; the latter of which a majority of the Americans would perhaps like much better, and the expediency of which, some people of New-England, of *levelling* principles, have already taken into consideration, as I have been credibly informed. But one or two articles more of the *association* deserve particular notice,

* This rice act shews what the opinion of Parliament was forty years ago, and the submission of the Americans, shews their opinion at that time, concerning the authority of Parliament in American affairs.

In the 12th article, the Committees of Correspondence are ordered, in their respective colonies; to "frequently inspect the entries of their *Custom-Houses*, and inform each other from time to time of the true state thereof." This is a resolution which there can be no prospect of executing, but by methods of violence. For it is not to be supposed, that the officers of his Majesty's Customs will submit their books and papers to the inspection of those, who have formed a confederacy to rob the King of his Customs. However, the Committee-men; it seems, *must inspect* the entries; and if they cannot obtain them by fair means, they must get them as they can; or else this decree of the Congress cannot be executed.

In the 14th article the Congress resolve, to have no trade or friendly communication with any colony or province of North-America, which shall not accede or adhere to their *association*; while they know it is not in the power of several of them to join in it, however favourable their disposition may be to such a junction. This punishment therefore (for as such it is intended) is decreed against those who are unquestionably innocent, and against those who may be some of the best friends to the general proceedings of the Congress. And, which is still worse, this punishment is to continue, till a complete political revolution is effected, till the British Parliament is dispossessed of every claim of jurisdiction over the colonies, and not only till every enumerated obnoxious law respecting ourselves shall be repealed, but till the established landmarks and boundaries of one of the King's provinces, which has been lately conquered from the French, shall be altered and removed according to our dictates. Till the whole of this work is accomplished, the provinces of *Quebec, Nova-Scotia, East and West-Florida*, must all continue under the *ban* of our new *American empire*: And none of us are allowed to purchase so much as a beaver-skin that has been brought across any of the lakes, under pain of the penalties to be inflicted on the violaters of the association agreement.

If we turn back from the *Association* to the *declaration of Rights*, we shall see the principles of the Congress, and be able to collect some proofs of their aiming at a total independency. By their demand in the *Association* it appears, that they mean to emancipate themselves at once from all the Acts of Parliament that have been passed under his present Majesty. If they succeed in this, they know, that by the same methods they can clear themselves of all former acts, and become independent; and that this is intended, is probable from some broad hints which they

they drop in their *declaration*. Thus they say there are many other *infringements and violations* of their *rights*, of a date more ancient than the present reign, which "we pass over for the *present*, and proceed to state such acts and measures as have been adopted since the last war." So again: "we have for the *present* only resolved to pursue the following *peaceable measures*." From hence Great-Britain will naturally judge, that granting even all that they demand *at present* will be no security for the future *peaceable* demeanor of the Colonies; since intimations are here given, that there are many other *infringements and violations* of their *rights*, which also in due time must be rectified.

That the views of the Congress are thus immoderate, is no more than might be naturally expected from a review of their principles, as expressed in their *declaration*; a full examination of which I shall defer for the *present*. I shall now only take notice of a few particulars in this part of their exhibition, which are the most glaring and striking.

In their *preamble*, they complain that our Assemblies have been frequently dissolved, *contrary to the rights* of the Americans. This implies, that they claim in behalf of our Assemblies, a right not to be dissolved, or interrupted, by the King's authority, let the tendency of their temper and proceedings be ever so injurious to the peace and safety of the public. Yet it is an undoubted prerogative of the crown to dissolve the British Parliament, whenever and as often as the interest of the public is thought to require it. The Congress therefore will not allow the King to exercise the same authority over our American Assemblies, in any of the Colonies, which the constitution allows him to exercise over the Parliament in England. Thus, we see, after having rejected all the authority of Parliament over the Colonies, their next attempt is to reduce and farther circumscribe that of the King.

In pursuance of this part of their plan, the Congress remonstrate to the King's Governor and General, acting by his immediate authority, against his fortifying the neck of land that leads into Boston, and magisterially require him to desist. Whereas the King has as unquestionable a right to erect fortresses in any part of his dominions, as to erect *Beacons*, &c.†

One of the most *essential* rights of the British crown, without which the King can be but little better than a cypher, is the

† Let the Reader consult *Blackstone's COMMENTARIES*. Lib. 1. Cap. 1. of the King's Prerogative.

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command of the *militia*, and of all the sea and land forces within the British dominions. But in America the Congress have already wrested from the King the command of the militia, in one of our largest provinces, and not only so, but they have armed that militia against him ; and unless he will submit to walk in their leading-strings, he is likely to be treated in the same manner in the rest of the Colonies. — Good Heavens ! let the province of New-York be excepted.

That he should have the command of any regular troops in America is thought intollerable ; and therefore, the Congress, in their proceedings of Oct. 14, resolve, *N. C. D.* “ That the keeping a standing army in these Colonies, in time of peace, without the consent of the legislature of that Colony, in which such army is kept, is *against law*.” But this is not enough. They resolve *again*, in the very same day, in the very same words ; and print the resolve a second time, *verbatim*, in the proceedings of *that very day*, that it might be sent abroad armed with a double force.

Yet what are we to understand by the expression *against law*, is not easy to determine. If they mean by it, contrary to any laws that have been enacted in the Colonies, I conceive, that an attempt to point out such laws, would puzzle the Congress.

They cannot mean, that it is contrary to acts of Parliament, because, they know that the Parliament has provided for the troops in question from year to year, for the very purpose that an army might be kept in America, without having once thought of asking the consent of the Colonies.

If they mean, contrary to the *common law* of England, the position is more than they can defend. They indeed resolve, that the Colonies are entitled to the *common law* of England ; but if they are not subject to the *statute law* of England, they have no more right to the *common law* than the Inhabitants of *Otaheite*. But allowing that the Colonies are entitled to the *common law* of England ; yet there is an act of Parliament, now in force, that declares, that the government of the military forces (which includes the assignment of their posts and stations) “ within ALL his Majesty's realms and dominions, ever was and is the undoubted right of his Majesty, and his royal predecessors, the Kings and Queens of England ; and that both or either House of Parliament cannot, nor ought to pretend to the same.” If this always or ever was the case, as the act of Parliament asserts ; then it is certain that the *common law* of England can afford no pretence for this claim of the Congress.

After thus maiming and mangling the regal authority in America, the Congress, it must be confessed, in order to make

some amends, are willing enough to give it full scope in England, and even to enlarge it there beyond its natural and constitutional dimensions. They apply to the King, and to him only, to relieve them from the obnoxious acts; as if they ascribed to him a full power of repealing, dispensing with, or suspending, the laws made by Parliament. But no addresses to the two Houses of Parliament are prepared, explaining the nature and foundation of the demand, and requesting their concurrence. Does not this imply an opinion, that the King may take upon himself to do all that is needful, for the relief of the Colonies, without waiting for the approbation or consent of Parliament? or, must we suppose, that the representatives of America in Congress, had too much pride to stoop to the representatives of a small European island in parliament; and that they imagined, that the hostile preparations made in America, would terrify the Parliament into a compliance with their schemes?

The way being thus prepared, by an entire demolition of the authority of Parliament over the Colonies, and by a diminution of that of the King; the next part of the plan is, to make provision for enlarging the authority and dignity of the members of the Congress and some of their friends. This part of the scheme has not yet been expressly avowed. It is rather too soon to speak plainly to the public; but something of this sort may be inferred from the tenth Article of the Declaration, which is as follows:

“Resolved, N. C. D. It is indispensibly necessary to good government, and rendered essential by the *English constitution*, that the constituent branches of the Legislature be independent of each other; that, therefore, the exercise of the legislative power in several Colonies, by a council appointed, during pleasure, by the crown, is unconstitutional, dangerous, and destructive to the freedom of American Legislation.”

Here, Reader, if thou canst but read, you may see, that an American House of Lords is in agitation; in which the members must have the same rights, privileges and honours, which the *English constitution* has given to the members of the House of Lords in the Mother Country. They must be independent of the Crown, and independent of the representatives of the people. They must continue for life; and according to the English constitution, their rights and titles must descend to their heirs, lawfully begotten, and from them again, to their heirs, forever and ever. There must also, I suppose, be the same Orders of the American nobility, that belong to the English; and then none can dispute or question, that the gentlemen of the Congress will have a right to the highest Order.

For

For my part, I am ravished and transported at the foresight of this American grandeur. I long for the day, in which I may expect to see such articles as the following, in *HOLT's Paper*. *Last Friday arrived in this City, from the Eastward, the most noble and puissant Prince ----- Duke of ---- in America. His Grace lately was dangerously ill of a Megrim in the head, and a griping in the bowels, attended with an over-flowing of the gall; but we have the pleasure of assuring the public, that he is perfectly recovered.*

Oh! how we shall shine with Dukes in America! There will be no less than fifty three of them. There will be Duke Timnah, Duke Alvah, Duke Jetheth, --- Aye, we shall have two-and-forty more Dukes than the ancient and celebrated Edomites could muster for the blood of them. The Committees of Correspondence will furnish us with Marquisses; and the Committees of Observation, with Earls. The Viscounts may consist of Heroes that are famed for their exploits in *tarring and feathering*; and the Barons, or Lowest Order, of those whose merit has been signalized in burning such Pamphlets as they were unable to answer. If there must be Lords *spiritual* too, as well as temporal; Boston, we know has two, that are well fitted for the purpose; New-Jersey has one, and most of the Colonies can furnish their quota. But to return from this digression.

The Congress, in the last mentioned resolve, contend, that it is Unconstitutional for the members of our provincial councils to be appointed by the crown, to continue *during pleasure* only; and yet this was the original constitution of every Colony, in which such appointments now take place. If we call such a council unconstitutional in New-York, we must mean by the word, not what is *contrary*, but what is *agreeable* to the constitution of this province. A council thus appointed, was declared, by an act of our assembly, passed in 1691, by way of *Bill of Rights*, to be a proper and constitutional branch of the legislative authority here. King William himself, the immortal and true patron both of civil and ecclesiastical liberty, was of the same opinion, and appointed counsellors for this and other Colonies on the same terms. Notwithstanding, and though the matter is overstrained by the Congress, I have no objections against an appointment of Counsellors *during good behaviour*; and I believe, that the independency of our councils on the Crown, after their appointment, would be a real improvement of our Constitution, relating to that branch of our legislative authority.

While the Congress assert, that it is "indispensibly necessary" to good government, that the constituent branches of the

the legislature should be independent on each other, they strenuously urge, that the Council in the Massachusetts Bay, should be restored to a dependency on the representatives of the people. For, according to the tenor of their late charter (a charter which it is thought better that all America should perish than not see replaced) the members of the council are all chosen by the house of assembly; and it depends upon that house, whether they shall be confirmed or displaced, at the end of every year. Could the Congress imagine that such a dependency as this, on the lowest branch of the legislature, will not have as bad an effect on the council, as a dependency on the highest? If not, why did they discover such glaring impartiality? The reason may be easily guessed: It is the spirit of the present system, to depress the power of the crown, and to exalt the power of the people; and the design of it, to prepare the way for introducing and establishing an American Republic, or Aristocracy, or rather both; the former to the Eastward, and the latter to the Southward,

It has been long suspected, and indeed pretty well known by some persons, that a set of people in the Colonies, whose head quarters are at Boston, have for many years been aiming at, and preparing the way for, a government of their own modelling, independent of Great Britain, to be erected as soon as the disposition of the Colonies could be brought to favor the attempt. Their machinations, for the most part, have been carried on in the dark; but yet in the exuberance of their zeal, and in some of their unguarded moments, they have discovered enough to alarm all the friends of our excellent constitution, and all who esteem the kind and parental protection of the mother country, as essential to the happiness and safety of the Colonies.

Near seven years ago, a writer, who made much noise in this city, who was well acquainted with the secrets of the New-England republican faction, and whom some suppose to have been their agent in this province, in the warmth of an unreined imagination, was led to utter more in an apocalyptical strain, than was probably intended. While his mind laboured with pleasing conceptions of the progress that was making towards an independent American establishment, confident of succeeding, and regardless of precautions, he took up his parable, and said:

“ Courage then, Americans!—The finger of God points out a *mighty empire* to your sons.—We need not be discouraged.—The angry cloud—will soon be dispersed.—The *day dawns*, in which the foundation of this mighty empire is to be laid, by the establishment of a regular American constitution.

"tion. All that has hitherto been done, seems to be little beside the *collection of materials*, for the *construction of this glorious fabrick*. 'Tis time to *put them together*. The transfer of the European part of the great family is so vast, and our growth so swift, that *before seven years* roll over our heads, the *first stone* must be laid.—Peace or war; famine or plenty; poverty or affluence; in a word, no circumstance, whether prosperous or adverse, can happen to our parent; nay, no conduct of hers, whether wise or imprudent, no possible temper on her part, whether kind or cross-grained, will put a stop to this *building*. There is no contending with omnipotence, and the *Predispositions* are so numerous, and so well adopted to the rise of America, that our success is *indubitable*." And in the next paragraph, shifting his imagery, he says: "We are *moulding* the great political ma^s into order." §

In these figurative expressions, though not *fully* understood by readers in general, enough was discovered to justify the inference, that preparations were then making for a *révolution* in the colonies, that much had been already done towards it, and that in a short time the effects of it would be visible to the world.

The grand object in view was no less than a "mighty empire," for the Americans. This expected and intended empire, under the representation of a *building*, or magnificent temple, the writer views with rapture and *prophetic* enthusiasm. The time swiftly approaches, nay, "the day dawns," says he, in which the *foundation* of it is "to be laid." The *materials* are already *collected*, "for the construction of this glorious fabric," and nothing is now wanting but to *put them together*.

A specimen of these *materials* was soon after exhibited in the town of Boston; and if any one is desirous of knowing their form and quality, let him carefully read the *Copy of an agreement entered into by the inhabitants of Boston*, on August 1, 1768; the *declaration and resolves* made by them in the September following.—The *Circular Letter* † sent about the same time, from the

§ See the *American Whig*, No. v.

† To the above mentioned *Circular letter*, a very sensible and spirited, though inaccurately penned answer was returned, by the *Select Men* of the Town of Hatfield, of the same province, dated September 23d, 1768. Part of the answer is in the following words.

"We are not sensible that the state of America is so alarming, or the State of this province so materially different from what it was a few Months since, as to render the measure you propose, viz. a *provincial convention* either salutary or necessary.

"And here we propose to your consideration, whether the *circular letter*, which gave such umbrage, containing these expressions, or others of the like

the *Selectmen* of Boston to the *Selectmen* of the *several towns*, within that province—and some other publications of that period. He will there see that the *materials* collected were all of the

like import: “That the King and parliament, by the late revenue act, had *infringed* the rights of the colonies, imposed an *inequitable* tax, and things yet worse might be expected from the independence and unlimited appointments of crown officers therein mentioned,” was so perfectly innocent, and entirely consistent with that duty and loyalty professed by the House of Representatives the last year, in their petition to his Majesty; and whether the last house might not have complied with his Majesty’s requisition, with a full saving of all their rights and privileges, thereby prevented our being destitute of a general court at this day.

“We cannot comprehend what pretence there can be for the proposed convention, unless the probability of a considerable number of regular troops being sent into this province, and an apprehension of their being quartered, part in your town and part at the castle—and here we would observe, that it was a matter of doubt and uncertainty, whether any were coming or not; If otherwise, for what purpose the King was sending them, whether for your defence in case of a *French war* (as you tell us there is in the minds of many a prevailing apprehension of one approaching, and if we do not misunderstand your letter, induced them to pass the votes transmitted to us), or whether they are designed for the protection of the new-acquired territories, is altogether uncertain. That they are to be a standing army in time of peace, you give us no evidence; and if your apprehensions are well grounded, it is not even supposable they are intended as such—and if your town means sincerely, we cannot see the need they had of interposing in military matters, in an unprecedented way requesting their inhabitants to be provided with arms, &c. (a matter till now always supposed to belong to another department) especially as they must know such a number of troops would be a much better defence, in case of war, than they had heretofore been favoured with. To suppose what you surmise they may be intended for, is to mistrust the King’s paternal care and goodness. If by any sudden excursions or insurrections of some inconsiderate people, the King has been induced to think them a necessary check upon you, we hope you will, by your loyalty and quiet behaviour soon convince his Majesty, and the world, they are not longer necessary for that purpose; that thereupon they will be withdrawn, and your town and the province saved any farther trouble and expence from that quarter.

“We are sensible the colonies labour under many difficulties, and we greatly fear, what the consequences of the disputes with our mother country will prove; however we are far from thinking the measures you are pursuing have any tendency to deliver the good people of this province, but on the contrary, to immerge them into greater. After all, we should hope (were it not for your present attempt, attended with a bad complexion) we might soon have deliverance from our present troubles, and things restored as at the first. The governments have, in our opinion, consulted, and are pursuing, the properest methods to obtain redress of their grievances [In consequence of the use of these methods, the duties upon paper, glass, and painters colours were taken off]; our duty is, to wait with patience the event, unless we are determined to take the alternative. How far passion and disappointment, and private resentment may influence any to hurry their neighbours into such mad and desperate measures, we don’t know, but pray God prevent.

“Suffer us to observe, that in our opinion, the measures the town of
Boston

the right stamp, and excellently calculated to answer the purpose.

The writer goes on, and shews that he was well acquainted with the whole design of those *preparations*, and could tell the very time when the foundation of the "glorious fabrick" was to be publicly laid, "*Before seven years roll over our heads, the first stone must be laid.*" Thus we see the particular time for beginning this work was then already fixed and determined; and such *predispositions* were made, that the event was rendered *indubitable*, in the opinion of the workmen. All these particulars were declared to the public, by the *American Whig*, on the 11th of April, 1768; and his *prophecy* was fully verified by the event. For, we all know, that before the revolution of *seven years* was compleated, and exactly at the end of six years and five months, the first stone of the long projected building, actually was laid by the people of *Suffolk*. This corner stone bears an inscription, and the inscription informs us, in CAPITALS, That it was laid during the administration, and under the *auspices*, of the late Congress, then sitting, with exquisite propriety, in *Carpenters-Hall*.

Afterwards this same writer considers the intended *American Empire* under the more natural emblem of an image to be made of clay; and then he tells us in corresponding language, that all hands are briskly at work, mixing and kneading the ingredients together, and "*moulding*" the great political mass into "order."

Now, comparing all this with other appearances and known facts, it seems impossible for any judicious person to doubt, but that there is a set of people among us, disaffected to the constitutional supremacy of Great Britain over these Colonies, who have formed a scheme for establishing an independent govern-

Boston are pursuing, and proposing to us, and the people of this province to unite in, are *unconstitutional, illegal, and wholly unjustifiable*, and what will give the enemies of our constitution the greatest joy, *subversive of government, destructive of that Peace and good order which is the cement of society; and have a direct tendency to rivet our chains, and deprive us of our rights and privileges*, which the inhabitants of this town desire may be secured to us, and perpetuated to our latest posterity.

"Thus we have freely expressed our sentiments, having an equal right with others, though a lesser part of the community, and take this first opportunity to *protest* against the proposed Convention,---and hereby declare our *loyalty* to his present Majesty, and *Fidelity* to our country; and that it is our firm resolution, to the utmost of our power, to maintain and defend our rights in every prudent and reasonable way, as far as is consistent with our duty to God and the King.

"Attest. OLIVER PARTRIDGE, Town-Clerk."

Extracted from the MASSACHUSETTS GAZETTE of October 6, 1768.

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ment or empire in America; and that they have been regularly pursuing it for many years past. Nor can it be doubted, but that the late Congress, though several of its members perhaps were not admitted to the secret, was under the influence and direction of, and meant nothing less than to co-operate with, the master builders abovementioned, in making a proper arrangement and disposition of the *materials* that were plentifully provided. With this *key*, the enigmatical proceedings of the Congress may be explained; and what has hitherto appeared to be extravagant and absurd, will be found to be regular and consistent. If we consider them as endeavouring to obtain a reconciliation of Great Britain to the Colonies, on some generous and honourable plan, their conduct is unaccountable; but if we consider them as associated with, and directed by, the projectors of the *glorious fabric* of an independant American republic, the whole mystery is unriddled; and whatever we may think of their principles or their designs, we shall have a more favourable opinion of their understandings.

We have now taken a view of the original design of the Congress, and of the authority with which the members were jointly and severally vested. We have compared their conduct with their instructions; and have stated the difference between the work proposed and the work done. And on the review, it appears, that instead of promoting, they have counter-acted, the design of their appointment; that they have altogether neglected the work they were sent upon; that the powers delegated to them by their constituents, for the good of the colonies, were prostituted to the purposes of private ambition; and that all their proceedings as far as we can judge, were instigated and directed by the New-England republicans, to the utmost confusion of the Colonies, the disgrace of their constituents, and their own infamy.

It cannot therefore remain a question one moment, whether we are under obligations to adopt and pursue the measures they have prescribed, or not; we manifestly owe them no obedience at all; we owe them no respect as a body: Much less are we bound to plunge ourselves headlong into that abyss of misery and destruction which they have opened; an abyss, which indeed must soon swallow us up, unless we resolve to proceed in direct opposition to the impulses and instigations, with which they and their adherents endeavour to push us on.

Rebellion and civil war are the necessary consequence of our being governed by the Congress. They are the *necessary*, tho' not perhaps the *immediate* consequence. For we cannot suppose that Great Britain, conscious of her own superior strength, and

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jealous of her rights, will meanly put up with our wanton insults; or that she will be so intimidated with any threatenings of ours, as to sacrifice at once her own dignity, honour and interest, at the shrine of *Carpenters-Hall*, in Philadelphia. Such conduct would render her a laughing-stock to all Europe, and cause the Americans themselves most heartily to despise her.

I have too good an opinion of the wisdom, discretion and loyalty of the inhabitants of this province in general, to believe that any sophistry can mislead them, that any insidious arts can seduce them to engage in the execution of the *most violent* part of the plan recommended by the Congress; which is to support the *rebellion* in New-England with their lives and fortunes, to the irrecoverable ruin of their families. To undertake such a frantic adventure, must be the business only of fools or fanatics, and is contrary to the prevailing disposition of this sensible and sober province.

But as to the less horrible part of the plan, which is contained in the *association*; the danger of adopting it is greater, because its appearance is less tremendous. And yet when we consider, that we are under no obligations to the Congress, that we are at perfect liberty to judge for ourselves, and to consult our own happiness, as if the Congress had never existed, and that our condition would soon become inexpressibly miserable by pursuing even this part of the scheme; I hope we shall have the prudence and grace to avoid it.

It has generally been thought, and is now pretty well known, that our resolving to import nothing from Great Britain, will produce another act of Parliament for shutting up our ports; and that our commerce will be at a total stand, till the resolution is recalled, in such a way as will be acceptable. Now, if the operation of such an act upon the single town of Boston only, has brought so much distress upon so many of its inhabitants, that all America has been obliged to contribute to their relief; we may judge in what manner we shall be affected by the shutting up of this port, while all the neighbouring ports will be in the same condition, and our poor will have no prospect of assistance from any of the other Colonies.

It is impossible that we can hold out, under such circumstances, for any considerable time. According to the common course of things, we shall be obliged at last to submit to the authority of Great-Britain; and then, after a contest of this kind, she will have a right to establish new and less favourable terms for us, with which notwithstanding we shall readily comply, as they will be the only conditions of peace and safety. So that this non-importation project, instead of relieving us fro
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liamentary taxation, will in the end, naturally and almost necessarily, cause it to fall upon us with more than double weight.

In short: If we regard the Congress at all, we shall bitterly repent it. But if we have recourse to our legal representatives, allow them their due honour and influence, and under their direction pursue only *prudent* and *constitutional* measures, it will undoubtedly prove, in a more proper sense than the word has commonly been used in, the *salvation* of this province.

If our present assembly should refuse to act a worthy part, on this occasion, which I can hardly suspect that they will; we must, for the present, bear it with as much patience as we can, consistently with our duty;---looking forward to the time, which in that case will be hastened when we shall have an opportunity of a new choice, and when it will be our own faults, if we are not represented by men, who will pay a proper regard to the happiness and prosperity of their constituents.

Let us then, my friends and fellow-subjects of this province, withdraw ourselves immediately from within the *vortex* of the Congress---that we may be at liberty to pursue the real good of our country, under the friendly direction of the law and sound policy. Let us disband our Committees, but without any personal reproaches or reflexions on account of what is past; and, for the future, like men of sense and spirit, let us scorn to yield any obedience but to the laws and to lawful authority. In seeking for the redress of our grievances, let us neither practice nor countenance any violent methods, till mild and safe ones shall have been fairly tried, and found to be ineffectual. If our case cannot be bettered, let us be careful however not to render it worse, by our own mismanagement. If we should be unable immediately to procure an exemption from the authority of Parliament; yet that is no reason for our not securing to ourselves as much liberty as we can; and, in order to that, we must rescue our necks from the *yoke* of the Congress, and our legs and arms from the *fetters* of Committees. This is the bondage we have most reason to dread, as it is equally oppressive and disgraceful.

Before I conclude, permit me, in a few words, to address you, Gentlemen, who are authorised to *represent* the free-holders of this province, in the HOUSE OF ASSEMBLY.

After hearing so much of *Congresses* and *Committees*, it gives me peculiar pleasure to consider, that our constitution is not yet dissolved, that our legal representatives are not yet discarded, that they are now met together in their legislative capacity, and that their authority may still be vigorously exerted. It is to you, Gentlemen, that I would persuade my fellow-subjects of

this province to have recourse, at this time of difficulty and danger, and not to any power that is foreign and unconstitutional.

I will venture to say, that neither you nor your predecessors have ever met together at so critical a season as the present; that so much has never depended on the wisdom of your determinations; and that you have never had such a call for the full exertion of your united abilities.

The people whom you represent are dreadfully perplexed, embarrassed and divided. They know not what measures to pursue, to obtain safety. If your wisdom and prudence can procure for them an adequate relief, you will henceforward be loved and revered as so many guardian angels to your country, and your names will be transmitted with peculiar lustre, in the annals both of Great-Britain and her colonies, to the latest posterity.

Although some of you are partly indebted to my *vote*, and much more to my influence, for seats in your honourable house; yet I presume not to dictate to any of you, nor would I *obtrude* my advice upon your respectable body. But, convinced that you are willing to hear the opinion of any constituent, who desires to offer it, with becoming deference, on a subject that demands the attention of all; I beg your indulgence for a few moments.

You will undoubtedly be urged by many, to give your sanction to the proceedings of the late Congress; and the example of several assemblies on this continent will be proposed, to induce your compliance. But do not forget, Gentlemen, the nature and dignity of your own station, and of the trust that is reposed in you. *You* are the lawful and proper guardians of our rights and liberties; and you have solemnly engaged yourselves to guard them, whenever they are invaded or exposed. In this honorable and important work, you are not to be governed by the *example of others*; but you are expected to act with a spirit of independency and freedom, that is worthy of your political character. The law, and *your own* wisdom, are to be your only guides; and the happiness of the province is to be your only mark. The constitution is the ground you stand on, and while you adhere to it, it will be your support. But the moment you quit this ground, you are unsafe; as soon as ever you pursue or countenance unconstitutional measures, you expose yourselves, you injure us, you desert your station, you betray your trust.

If you give your sanction to the proceedings of the Congress in general terms, and without exceptions, as some other assemblies

blies have done; you will, like them, become answerable for the guilt of such proceedings, as are contrary to law and subversive of the constitution. You will then be necessarily understood to approve of the *approbation* of the Congress, to recommend their *recommendations*, and consequently to approve of and recommend all the *rebellious* transactions of the people of *Suffolk*. Are you willing, Gentlemen, to be considered in this light? Can you, who are the representatives and legislators of one of the first provinces in America, of a province which has hitherto been respected for its loyalty and sound policy, think of degrading yourselves so far below your proper rank, as to become the *rear-guard* of a faction against that supreme power, which presides over, and must of necessity govern the whole British Empire? Forbid it, Honour! Forbid it, Decency! We do not think so contemptuously of you, as to believe it is possible. We should be extremely unhappy at such a time as this, if we had not great confidence in your firmness and steadiness, and in your disposition to support your own dignity and the real interests of the province.

There is no occasion for entering into a detail of circumstances, which all are acquainted with. However it may be proper to observe to you, Gentlemen, that though your constituents in general are willing to allow, that hitherto they have not been *oppressed* by the power of the British Parliament; yet, that they imagine there is reason to complain of some late acts, as violations of their constitutional liberty. In this case, a silent submission, they think, would have a dangerous tendency; and the continuance of those acts, they believe, would be productive of evil, both to the mother country and her American colonies. They wish therefore, from the most generous motives, that all such acts may be repealed, and, at the same time, that a barrier may be fixed between the supremacy of Great-Britain and the rights of the Americans, in such a manner, and on such equitable principles, that hereafter no infringements may be made, and that no jealousies may be likely to arise, on either side. They conceive, that now is the proper time for this settlement to be made on a lasting basis, and that you are the only proper persons to appear in behalf of this province. They have legally deputed you to act in their stead, and they rely on your wisdom, caution and prudence to conduct a concern of such great importance and delicacy.

Of the different methods that have been proposed for obtaining the end in view, some are unquestionably right, and some wrong. If any doubts can remain with you, Gentlemen, concerning what is right or wrong in this case; you will naturally think

think it expedient, before you determine which methods to pursue, to examine the matter carefully and impartially, that you may not be misled by any error of judgment. In this inquiry you will attend to the true merits of the cause, and found your determination on evidence arising from the nature of the case, and the fitness of things; without seeing with other men's eyes, or suffering yourselves to be warped by other men's opinions. For, we humbly conceive, that you are bound, by the nature of the trust reposed in you, to act according to the unbiassed direction of *your own* judgment, and not according to the contrary opinions of any people whatever.

If then you believe that the Congress acted wrong, or that they might have taken more prudent or safe measures, in order to secure the rights of the colonies, as I am persuaded that you do; it then clearly follows, that you are bound in honour, and in duty to your constituents, to reject what appears to be wrong, and to prosecute those measures which appear in themselves to be most prudent and safe. He that can hesitate a moment in so clear a case, is not worthy to represent a virtuous and well-meaning people.

I know very well the difficulty that will press you. The generosity of your disposition will render it disagreeable and painful to you, to act on a plan that is not only separate, but essentially different from that which has been generally adopted by the other colonies; and perhaps you are afraid of being stigmatized as traitors to the common cause of America. I would by no means altogether condemn such feelings; they are generous and honourable, when duly regulated. But truth, propriety and reason, are always entitled to our *first* regard; to a regard, which must not give way to more private affections.

The neighbouring governments are considered by this as *sister colonies*; and as such we have always loved them with sincere affections, and we are desirous of promoting their interests whenever we can, consistently with our own. But the most favourite sister is not to be justified or supported, in doing what is evidently wrong. If the other colonies are justly considered by this as *sisters*, we should remember too, that, in the same sense, England is to be considered as its *mother*; and the natural connexion is much stronger between a child and its parent, than it can be between a sister and sisters.

To pursue the metaphor a little farther. If we see our sisters betaking themselves to wrong courses, we should endeavour to reclaim them, by affectionate admonitions, and especially by a *good example*. This will be much more to our honour, and finally more to their advantage, than if we encourage them to

go on by our weak compliances. These sisters of ours, of whom we are speaking, are allowed to have many good qualities, for which we esteem them. They are naturally good-tempered; but for some time past they have been in an ill humour, and they are perpetually quarrelling with our mother, a venerable and worthy lady, but not intirely without foibles. The beginning of the dispute was tolerably decent; but they now go on like a parcel of saucy and impudent hussies, threatening and abusing her; and they insist upon it, that she shall fall down upon her knees, and publicly ask their pardon—for having lately exercised such an authority over them as she always used to exercise, and in such a way as she thinks is warranted by the laws of the land. It has been proposed to these daughters, to try if the matter in dispute with their mother cannot be settled in an amicable conference. But no; they swear and protest, that they will not exchange a single word with her in that way; but that they will stab the *old bag* to the heart, or starve her to death, but they will force her to a submission.

Such, Gentlemen, I conceive, is the conduct of our sister colonies at this time, with regard to our common and venerable parent. Such is their conduct towards her, though they know that they are still greatly dependent on her, and that she has a sufficient number of dutiful and brave sons, who are resolutely determined to revenge her quarrel, and maintain her authority. The question then is, whether this province shall act, unbiassed by partial affections, according to its own real judgment and principles, or not: Or, whether she shall enter upon a course of extravagant, profligate and dangerous practices, merely in compliance with a termigant *sisterhood*, that has been lately deluded and debauched, and rendered almost desperate by the Congress? To this question you will certainly give an unanimous negative. If you act at all in this matter, it will be on a different plan, and more conformably to the general opinion of the freeholders in the province.

But, for God's sake, Gentlemen, why should you not act? Will it justify inactivity in you, that others are acting wrongly? Are you afraid or ashamed of appearing singular in doing what is right? You must know, that singularity in right conduct will be an honour to you, and a shame only to them that act otherwise. If you mean that the grievances you complain of, should, if possible, be redressed; something should be done to promote the redress of them; for it is not to be expected, that they will redress themselves. If you aim at the end, common sense requires you to use such means as are most likely

to effect it. Such means as were most proper before the meeting of the Congress, are most proper still; for, with all their assumed powers, they were not able to alter the nature of things.

Let it then be the business of this session, after providing for the immediate exigencies of this province, to do what ought to be done by every province on the continent; that is to prepare and transmit proper addresses to the King, Lords and Commons of Great-Britain; decently stating your whole claims, and dutifully requesting that they may speedily be confirmed to you. Addresses from your body will be received and regarded; which is a greater honour than could have been allowed to addresses from the Congress.

In your addresses declare, that you act in behalf of a loyal province, which you constitutionally represent, and that you have no connection with the late Congress. Candidly and generously confess, that a mistaken zeal for liberty has produced among us some tumultuous and disorderly proceedings, which are not to be justified. Beg that all these things may be buried in oblivion, and that there may be no repeating of past grievances. Profess, in your own names and in ours, loyalty and allegiance to the King in the strongest terms; and express our willingness to acknowledge the supremacy of Great Britain in all cases, excepting those of taxation. Give assurances that we dread the very thoughts of an absolute independency; and that we see no prospect of security or happiness, but under the powerful protection and mild superintendency of the mother country.

In consideration of our being indulged with the favours requested, signify your willingness to bind yourselves and your constituents to raise annually, without any deduction, such a sum as may be thought equitable, for the general support of government; and promise, at the same time, that this province will always pay due regard to his Majesty's farther requisitions, in cases of emergency. In short, propose and say whatever you may think proper; only be careful that your addresses be dutiful, your requests reasonable, and your offers generous; and then, I doubt not but this province will be received by the mother country with open arms.

In this way, you will effectually provide for the happiness and security of the people whom you represent, and probably contribute, in no small degree, to the general happiness of America. All good members of society within the British empire will esteem and respect you; and none will blame or reproach you but those turbulent spirits, whose censures are much more desirable than their praises.

Before

Before I withdraw, suffer me to remind you, Gentlemen, that, in this province, the friends to peace and political moderation have always been more than twenty to one; and to assure you, that their numbers are daily increasing. Every day confirms them in their opinion. There is no danger of their falling off; they understand one another; they have formed their judgment on conviction; they are connected by principle; they are animated by the consideration both of public and private interest; and they now compose a body, which, notwithstanding any domestic assaults they may meet with, will not be disordered, but will remain as firm and impenetrable as the Macedonian Phalanx.

To conclude. I have offered my sentiments on a question of the utmost importance to the colonies, with that plainness and freedom which every Englishman, in such cases, has a right to use. The real good of my country, was the sincere aim of this inquiry. If I should be thought to have spoken too harshly of the late Congress, this must be my apology: It was an object that appeared to me in every view, hideous and detestible. I meant no personal reflections on any of its members, as has been intimated before; I respect such of them as I have any particular knowledge of. My most earnest wish is for the happiness of America. I consider Great-Britain and her colonies, with her other dependencies, as but one body, which must be affected throughout by the sufferings of any particular member. I consider them as constituting one great and illustrious family, to which I have the honour to belong; and I pray that its tranquillity may be speedily restored, and that peace and harmony may forever reign through every part of it. Government and good order are its strength; Liberty, civil and religious, is its glory. Every thing that contributes to its reputation and happiness, I love; every thing that tends to distress or disgrace it, I abhor. For this reason I abhor the late Congress. Its first appearance raised our curiosity, but excited no terror. But it was not long, before it turned out to be a perfect monster,—a mad, blind monster!

Monstrum horrendum, informe, ingens, cui lumen ademptum.



F I N I S.